

REMARKS

The non-final Office Action of October 13, 2010, has been reviewed and these remarks are responsive thereto.

Substance of Interview

The applicants thank the examiner for the telephonic interview conducted on December 28, 2010. Pursuant to MPEP 713.04, this response includes the substance of the interview.

Status of the Claims

Claims 1, 2, 6, and 13-28 have previously been cancelled. Thus, claims 3-5, 7-12, and 29-38 are pending.

Claims 3-5, 7-9, 29, 32, 35, 36, and 38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication Number 2003/0135860 to Dureau ("Dureau") in view of the U.S. Patent Number 6,886,178 to Mao et al. ("Mao") and further in view of the U.S. Patent Publication Number 2003/0135860 to Candelore and Unger.

As noted by the applicant and agreed in the interview, the publication number for Candelore was mistyped in the Office Action. The Office cites U.S. Patent Publication Number 2003/0135860 (to Candelore and Unger) as having an AVC to MPEG 2 transcoder, but such a transcoder is absent from this document. U.S. Patent Publication Number 2005/0175178 to Candelore and Derovanessian ("Candelore"), on the other hand, includes an AVC to MPEG 2 transcoder at the locations indicated by the Office.

Claims 30, 33, 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dureau in view of Mao, and further in view of Candelore, and further in view of the U.S. Patent Publication Number 2002/01546941 to Kost et al ("Kost").

Claim 37 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Dureau in view of Mao, and further in view of Candelore, and further in view of the U.S. Patent Publication Number 2003/0059047 to Iwamura ("Iwamura").

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Dureau in

view of Mao, and further in view of Candelore, and further in view of the U.S. Patent Number 5,757,909 to Park (“Park”).

Claims 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dureau in view of Mao, and further in view of Candelore, and further in view of Park, and further in view of the U.S. Patent Number 6,567,127 to Orr et al. (“Orr”).

Claim 31 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Dureau in view of Mao, and further in view of Candelore and Kost, and further in view of Orr.

Independent Claims 29 and 32

Independent claims 29 and 32 stand rejected in view of Dureau, Mao, and Candelore. As the examiner explained during the interview, this combination takes two incoming signals and transcodes any and all video contained within those signals to MPEG-2. This transcoding does not depend upon the protocol according to which any payloads of the signals are formatted. Therefore, as agreed during the interview, the alleged combination fails to teach or suggest at least the emphasized portions of the following features:

transcoding each of the second digital payloads to be formatted
according to a protocol that depends upon the first protocol

(claim 29), and

a transcoder configured to transcode each of the second digital
payloads in a manner that depends upon the first protocol

(claim 32).

The rejection of independent claims 29 and 32 is therefore respectfully traversed.

Independent Claim 3

The applicant appreciates the examiner’s suggestion regarding an additional feature to include in claim 3. Without acquiescing in the prior rejection, the applicant has incorporated the examiner’s suggestion into this claim in order to expedite prosecution.

As amended, claim 3 recites the following feature:

bypassing the transcoder and transporting the first digital payload
to the multiplexer upon determining that a protocol associated with

the first digital payload is in the set of one or more supported protocols;

The alleged combination of Dureau, Mao, and Candelore fails to teach or suggest this feature. Indeed, although the Office alleges that Dureau demultiplexes a first digital transport stream to recover first and second digital payloads, Dureau does not mention transporting any of these alleged digital payloads to a multiplexer. Indeed, The Office admits that Dureau lacks the feature of “multiplexing [at the multiplexer] the first digital payload and the transcoded second digital payload to a second digital transport stream.” (p. 3).

Mao fails to cure this deficiency. The output of analog receiver 11 goes to integrated receiver transcoder 20, and the output of digital receiver 13 goes to MPEG-2 encoder 12. The only two inputs to MPEG remux 14 come from MPEG-2 encoder 12 and integrated receiver transcoder 20. (See Fig. 1 and Col.6, lines 14-25.) Thus, Mao fails to teach or suggest “bypassing the transcoder and transporting the first digital payload to the multiplexer upon determining that a protocol associated with the first digital payload is in the set of one or more supported protocols.”

Finally, Candelore also fails to cure this deficiency. Indeed, although Candelore includes demux 30, it does not include a multiplexer. Thus, it also fails to teach or suggest the above-quoted feature. The rejection of claim 3 is therefore respectfully traversed.

Dependent Claims

Each of the remaining claims stands rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of references that each include Dureau, Mao, and Candelore. Each of these claims depend from either claims 3, 29, or 32, and the other references do not cure the above-described deficiencies of Dureau, Mao, and Candelore. These claims are therefore allowable for at least the reasons discussed above, and further in view of the various features recited therein.

Conclusion

All rejections having been addressed, the present application is believed to be in

condition for allowance. Should the Examiner have any questions, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

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